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Paper No. 4

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
Cincinnati, OH 45202

In re Application of
Dickey, et al.
Application No. 10/021, 665
Filed: December 7, 2001
Docket No.: HILB / 723C1
For: PET CARE PRODUCTS AND METHOD
OF PROVIDING PET CARE PRODUCTS,
SERVICES AND INFORMATION

This is in response to the petition under 37 CFR 1.47(a), filed July 15, 2002.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed December 7, 2001 without an executed oath or declaration and naming Bradley J. Dickey, Rodger A. Jones, Chris Lowery, and Darryl M. Maslar as joint inventors. Accordingly, on January 8, 2002, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration and a surcharge.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 USC 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The petition lacks requirement (2) stated above. The instant petition is not accompanied by an oath or declaration executed by the available inventors on behalf of themselves and the non-signing inventor. Any renewed petition must be accompanied by an oath or declaration in full compliance with 37 CFR 1.63 and/or 37 CFR 1.64.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patents
 Box DAC

Application No. 10/021,665

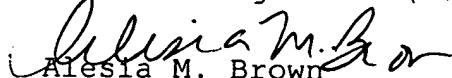
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Washington, DC 20231

By FAX: (703) 308-6916
Attn: Office of Petitions

By hand: Crystal Plaza Four, Suite 3C23
2201 S. Clark Place
Arlington, VA

Telephone inquiries related to this decision may be directed to
the undersigned at (703) 305-0310.



Alesia M. Brown
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Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy